

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JOSEPH VICTOR LAGANA,

Plaintiff,

v.

SAN FRANCISCO POLICE DEPARTMENT,

Defendant.

No. C 08-3392 CW

ORDER GRANTING
DEFENDANT'S
MOTION FOR AN
EXTENSION OF TIME

On July 24, 2009, Defendant City and County of San Francisco, erroneously named as San Francisco Police Department, filed a motion for an extension of time for the parties to file summary judgment motions. Pro se Plaintiff Joseph Lagana has not filed an opposition. The deadline to file case-dispositive motions was July 9, 2009, to be heard on August 13, 2009. Defendant claims to have misread these deadlines and "mistakenly thought, assumed and/or [mis]remembered that [August 13, 2009] would be the filing deadline for such motion[s], not the hearing date for such motion[s]." Motion at 4. Such a lawyer's mistake is not a compelling excuse. However, in the interest of judicial economy, the Court will extend

1 the case-dispositive motions deadline.

2 Defendants have until August 12, 2009 to file and serve such a
3 motion; any opposition shall be filed by August 26, 2009; any reply
4 shall be filed by August 31, 2009. The matter will be heard on
5 September 17, 2009 at 2:00 p.m.

6 The Court notes that the final pretrial conference for this
7 case is scheduled for November 17, 2009 and a five-day jury trial
8 will begin on November 30, 2009. Under the Court's standing order,
9 the parties are to exchange motions in limine and other pretrial
10 disclosures not less than thirty days prior to the pretrial
11 conference. The Court will not reschedule the pretrial conference
12 or the trial.

13 **Failure by Plaintiff timely to file a written response to**
14 **Defendant's summary judgment motion will result in dismissal of the**
15 **case for failure to prosecute.**

16 IT IS SO ORDERED

17 Dated: 08/07/09



CLAUDIA WILKEN
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

JOSEPH LAGANA

Plaintiff,

v.

SAN FRANCISCO POLICE DEPT et al,

Defendant.

Case Number: CV08-03392 CW

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on August 7, 2009, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Joseph Victor Lagana
3064 East 15th St.
Oakland, CA 94601

Dated: August 7, 2009

Richard W. Wieking, Clerk
By: Clara Pierce, Deputy Clerk